

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

**TAYLA GREENE, as Administrator
of the Estate of the Decedent,
RONALD GREENE**

Plaintiffs

VERSUS

**TROOPER DAKOTA DEMOSS and
DARBY HOLLINGSWORTH, in her
capacity as tutrix of the minor, G.H.
in lieu of MASTER TROOPER CHRIS
HOLLINGSWORTH and MASTER
TROOPER KORY YORK and
SERGEANT FLOYD MCELROY and
LIEUTENANT JOHN CLARY and
CAPTAIN JOHN PETERS and
DEPUTY SHERIFF CHRISTOPHER
HARPIN and JOHN DOE 1-5 and
JOHN DOE CORPORATION 1-3**

Defendants

CIVIL ACTION

NO.: 3:20-CV-00578-TAD-KDM

JUDGE: Terry A. Doughty

MAGISTRATE JUDGE:
Kayla D. McClusky

MOTION FOR SUMMARY JUDGMENT

NOW INTO COURT, through undersigned counsel, comes defendant, JOHN PETERS,
who submits the following Motion for Summary Judgment:

1.

John Peters was a Captain with the Louisiana State Police, Troop F at all relevant times.

2.

Plaintiff Tayla Greene has sued multiple law enforcement officers including Captain Peters secondary to the tragic death of her father Ronald Greene on May 10, 2019. [Complaint Doc. No. 1; First Amended Complaint Doc. No. 25]

3.

Previously, Captain Peters and others filed a joint Rules 12(b)(1) and 12(b)(6) Motion to Dismiss [Doc. 22]. After Plaintiff filed the First Amended Complaint [Doc. No. 25], a Supplemental Rule 12(b)(6) Motion to Dismiss was filed on behalf of Peters and others. [Doc. No. 30] The 12(b)(6) Motion was denied in part and granted in part. [Report and Recommendation Doc. No. 46; Judgment adopting Report and Recommendation Doc. No. 51]

4.

With respect to the 12(b)(6) Motion filed on behalf of Peters and others, the cause of action raising an alleged denial of access to courts was dismissed without prejudice. [Doc. Nos. 46, 51] The other causes of action survived the challenge.

5.

Plaintiff filed the Second Amended Complaint [Doc. No. 72] which Compliant did not include the denial of access to court claim. Thereafter, this Court's Judgment on the 12(b)(6) Motion filed on behalf of Peters and others was upheld by the United States Fifth Circuit. [Doc. No. 120] Captain Peters answered the Second Amended Complaint. [Doc. No. 127]

6.

The following causes of action remain against Capt. Peters: (1) wrongful death; (2) survival; (3) battery; and (4) bystander liability. [Doc. No. 127]

7.

Because Plaintiff will be unable to meet her burden of proof to establish any of these causes of action against Capt. Peters, this Motion should be granted under F.R.C.P. art. 56.

8.

The following facts are established by the Affidavit of Capt. John Peters [Exhibit 1]:

- Capt. Peters had no interaction with Ronald Greene whatsoever. Exhibit 1, ¶s 17-18.
- Capt. Peters was off of work and at his home during the high-speed chase of the vehicle driven by Ronald Greene. *Id.*, ¶s 5,6,7,15.
- Capt. Peters was not present at the scene until long after Ronald Greene had been taken via ambulance from Union Parish to Glenwood Medical Center. *Id.*, ¶ 9-11,14.
- Capt. Peters only arrived at the scene “after-the fact” when, upon request, he drove the vehicle that had been driven to the scene in Union Parish by Trooper Dakota DeMoss back to the Troop F Headquarters in Ouachita Parish. *Id.* ¶s 10-13.

9.

No material issues of fact remain as to Capt. Peters.

10.

No reasonable tried of fact applying the law could impose liability under these established facts as to Capt. Peters.

WHEREFORE, premises considered, it is respectfully submitted that summary judgment is proper under Federal Rules of Civil Procedure 56 and, after due proceeding and citation and service, that there be judgment in favor of defendant, **JOHN PETERS**, dismissing all claims of plaintiff, **TAYLA GREENE, individually and as Administrator of the Estate of the Decedent,**

RONALD, against him with prejudice, in whole or in part, as more fully outlined in the accompanying Memorandum.

LIZ MURRILL
ATTORNEY GENERAL

By: /s/ Andrew Blanchfield
Andrew Blanchfield, T.A. (#16812)
Email: ablanchfield@keoghcox.com
Special Assistant Attorney General
701 Main Street (70802)
Post Office Box 1151
Baton Rouge, Louisiana 70821
Telephone: (225) 383-3796
Facsimile: (225) 343-9612
Counsel for Captain John Peters

CERTIFICATE OF SERVICE

I hereby certify that I have this date electronically filed the foregoing with the Clerk of Court by utilizing the CM/ECF system, and a copy of the above and foregoing was this day forwarded by the Court's ECF Delivery System to all counsel of record.

Baton Rouge, Louisiana, this 21st day of May, 2025.

/s/ Andrew Blanchfield
Andrew Blanchfield